

RIVER BEND PLANNING BOARD

June 5th, 2025 at 6:00pm

**River Bend Municipal Building
51 Shoreline Drive, River Bend, NC**

I. CALL TO ORDER – *Egon Lippert*

II. APPROVAL OF LAST MEETING MINUTES – *Allison McCollum*

III. REPORTS

a. Summary of permits issued – *Allison McCollum*

b. Town Council Update – *Buddy Sheffield*

IV. PUBLIC COMMENT - *All*

Anyone who wishes to address the Board during this period must sign the sign-up sheet posted by the door. The Public Comment Policy will be followed. A copy of the policy is also by the door and available on the Town's website. Each speaker will be limited to three (3) minutes.

V. OLD BUSINESS – *All*

a. Aare Creek Development Discussion

b. Discussion of Fence Ordinance

VI. NEW BUSINESS – *All*

None.

VII. OTHER – *All*

a. Next regular meeting on 3 July 2025

VIII. CALL FOR ADJOURNMENT - *All*

Town of River Bend Planning Board

Minutes for Regular Meeting – 1 May 2025 – River Bend Municipal Building

Board Members present: Chair Egon Lippert, Vice Chair Bob Kohn, Kathleen Fleming, Bernard Bush

Board Members absent: Keith Boulware, Linda Cummings, Jon Hall

Others present: Councilman Buddy Sheffield, Councilwoman Kathy Noonan, Town Manager Delane Jackson, Assistant Zoning Administrator Allison McCollum, Brian Ketchem (representative from Ellis Development), 12 members of the public

1. Call to Order

The regularly scheduled Planning Board meeting was called to Order at 6:00 PM on Thursday, 1 May 2025, in the River Bend Municipal Building meeting room with a quorum present.

2. Approval of 3 April 2025 Regular Meeting Minutes

The Board reviewed the Minutes of the 3 April 2025 Regular Meeting. **Motion** was made by Vice Chair Bob Kohn to accept the Minutes as presented. Motion was **seconded** by Board Member Kathleen Fleming. **Motion carried unanimously.**

3. Reports

a. Zoning Report

AZA Allison McCollum presented the Board with a typed report summarizing the number of permits issued, the type of permit issued, and the total of all permit fees for the month of April 2025. The members of the Board reviewed the report and asked questions as needed.

b. Council Report

Councilman Buddy Sheffield summarized recent actions by the Town Council. The Board asked questions as needed.

4. Public Comment

None.

5. Old Business

- a. Town Manager Delane Jackson presented an updated Preliminary Plat for the Aare Creek Community subdivision submittal. He noted some of the changes made from the first submission. Town Manager Jackson also noted that the submittal review period is 45-days from submission, so that the plat is still in review. The goal is to have the review complete in time for the June meeting of the Planning Board.

Members of the Planning Board asked general questions about the wetlands areas, general timeline, and permits. Questions were answered by both Town Manager Jackson and Mr. Brian Ketchem from Ellis Development.

6. New Business

- a. Town Manager Delane Jackson recently received a request from a member of the public for the Planning Board to take a look at the Town's current fence ordinance – specifically how the ordinance restricts fence placement in front yards and how that applies to corner lots. The Planning Board was given a copy of the current ordinance and asked to consider the request for the next meeting.

7. Other

The next regular meeting is scheduled for Thursday, June 5th, 2025 at 6pm.

8. Adjournment

Motion was made by Vice Chair Bob Kohn to adjourn the meeting. Motion was **seconded** by Board Member Kathleen Fleming. **Motion carried unanimously** and the meeting adjourned at 6:35 PM.

Allison McCollum, Secretary



TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

May 2025

Permit Type	Total Issued	Total Project Cost
Flood	3	\$9,000.00
Residential Zoning	6	\$132,070.00
Home Occupation	1	N/A

The total amount of permit fees collected for May 2025 is **\$533.60**



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TO: Egon Lippert, Planning Board Chair

FROM: Delane Jackson, Town Manager

A handwritten signature in black ink, appearing to be "DJ", is written over the "FROM" line.

RE: Aare Creek Subdivision Preliminary Plat

DATE: May 30, 2025

As you know, on May 1, 2025 Ellis Development Group submitted a preliminary plat for the proposed Aare Creek Subdivision. Since that date, I have been reviewing the plat for compliance with our Subdivision Ordinance. I have also been in communication about the plat with Brian Ketchem, V.P. of Operations for Ellis Development Group, and others who are working for Ellis on the plat.

Section 15.01.082 (G)(1) of the Town's Subdivision Ordinance states that the Planning Board shall review and take action on each preliminary plat within 45 days after first consideration by the Planning Board. In this case, first consideration occurred on May 1, 2025. Therefore, the Planning Board needs to take official action on this preliminary plat at its June 5 meeting.

As of today, I find that the preliminary plat does not meet all of the "Contents required", as specified in Section 15.01.082 (F) of the Town's Subdivision Ordinance and therefore should be returned to the subdivider or his authorized agent for completion and resubmission. On May 19, I notified Brian Ketchem via email that I found his submittal to be incomplete. I provided a specific list of missing items to him. His reply is attached.

My recommendation is for the Planning Board to take action to disapprove the preliminary plat. If the Planning Board does so, staff will notify the developer of the action, identify the reason why and inform them of their option to make the necessary changes and resubmit or appeal the decision. Based on my conversations with Brian, I expect that Ellis will make the necessary changes and resubmit.

I have also attached pertinent excerpts from the Town's Subdivision Ordinance for your reference.

ATTACHMENT 1

§ 15.01.082 PRELIMINARY PLAT.

- A. *Generally.* The subdivider or the subdivider's duly authorized agent shall submit the preliminary and any supplementary materials to the Planning Board at least 14 days prior to a regular meeting of the Planning Board for every subdivision of land which is located within the jurisdictional area of the Town of River Bend as established by § 15.01.004 hereof.
- B. *Number of copies and graphic media.* Ten copies of the preliminary plat shall be submitted. No specific graphic media must be employed.
- C. *Size of plat and scale.* No specific size requirements apply to preliminary plats. Preliminary plats shall be prepared at a scale of 1 inch equals 100 feet, or greater.
- D. *Administrative fees.* Submission of the preliminary plat must be accompanied by a filing fee, in accordance with the Zoning Chapter, § 15.02.205.
- E. *Certifications.* No certifications must be provided in connection with the submission of preliminary plats.
- F. *Contents required.* The preliminary plat shall depict or contain the following information. Plats not illustrating or containing the following data shall be returned to the subdivider or his authorized agent for completion and resubmission.
- G. *Review procedure.*
 1. The Planning Board shall review and take action on each preliminary plat within 45 days after first consideration by the Planning Board. First consideration shall be at the next regularly scheduled meeting of the Planning Board that follows at least 14 days after the plat is submitted.
- H. *Disposition of copies.*
 1. If the plat is approved, approval shall be noted on at least 3 copies of the plat by the Secretary of the Planning Board. One copy shall be transmitted to the Zoning Administrator who shall retain it for public examination, 1 copy shall be returned to the subdivider and 1 copy shall be retained by the Planning Board.
 2.
 - a) If the preliminary plat is disapproved, the Planning Board shall specify the reasons for the action in writing.
 - b) One copy of the reasons shall be retained by the Planning Board, 1 copy shall be given to the subdivider and 1 copy shall be transmitted to the Zoning Administrator.
 - c) If the preliminary plat is disapproved, the subdivider may make the recommended changes and resubmit a revised preliminary plat, or appeal the decision to the Board of Adjustment.
 - d) The review procedure for a revised preliminary plat shall be as provided in division (G) above.

Delane Jackson

From: Brian Ketchem <brian@ellisdevgroup.com>
Sent: Wednesday, May 21, 2025 3:19 PM
To: Delane Jackson
Subject: Re: Aare Creek Preliminary Plat

Hey Delane,

After reviewing your guidelines(thanks for sending the checklist), we are not close to ready for your full review. I think this is, ultimately, what needed to happen anyway as we have a few elements we need to resolve before I feel confident that we are submitting something that is buildable and complete. The biggest of those outstanding items is Stormwater and the SIA you mentioned with Sara. We are required to model multiple design storms for pre and post flow. I usually have a few questions to help frame those models and this one is no different. The biggest unknown for me is current SW modeling as there is an issue currently at the main entrance location, and there have been modifications to the system to try and mitigate the current issue. Should we model existing as modified or as designed? I will likely have other scope questions as we get deeper but wanted to open the dialogue about the current issue. May be best for me to come meet with you once we get our heads wrapped around it.

Open to your thoughts and history on this intersection. Thanks for your time

	<p>Brian Ketchem, P.E., LEED-AP Vice President of Operations 305 Church at North Hills St., Suite 1110 Raleigh, NC 27609 brian@ellisdevgroup.com ellisdevelopmentsgroup.com 919.724.0624</p>
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From: Delane Jackson <manager@riverbendnc.org>
Sent: Monday, May 19, 2025 10:17 AM
To: Brian Ketchem <brian@ellisdevgroup.com>
Subject: Aare Creek Preliminary Plat

Brian,

I have reviewed your preliminary plat. See attached notes.

If a red check appears, then that item was found in the submittal.

If a red check does not appear, that item was not found and/or needs further attention.

I may have just missed these items. Feel free to point them out to me.

As of today, in accordance with 15.01.082(F), I find your submission incomplete.

I look forward to further development of the preliminary plat to get it in a "complete" status.

**Delane Jackson
Town Manager
Town of River Bend
45 Shoreline Drive
River Bend, NC 28562**

**252-638-3870 x-213
manager@riverbendnc.org**

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review (with statutory exceptions) by anyone at any time.

§ 15.02.062 FENCES AND WALLS.

The purpose and intent of this section is to recognize that fences and/or walls serve legitimate private and public uses including but not limited to security and creating visual buffers between properties. These regulations are intended to establish standards that maximize the effectiveness of the fencing while preserving the views and safety of motorists, adjacent property owners and the public in general.

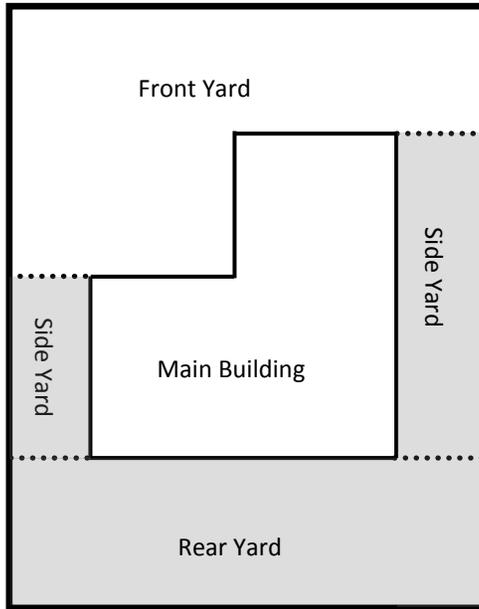
- A. A fence or wall, unless otherwise stated, hereinafter referred to as fence, is defined as a freestanding, vertical structure, constructed of man-made or natural materials, or a combination thereof. While it may accomplish the same objective as a man-made fence, living vegetative materials such as trees and shrubs are not considered a fence that requires a permit.
- B. A fence may provide any or all of the following: indicate a boundary; provide a barrier (either physical or visual); protect property; provide privacy; serve as an enclosure; control erosion or provide stability (such as is accomplished with a retaining wall); create a landscaping or ornamental effect.
- C. Fences are a permitted use in all zoning districts, provided that:
 - 1. No fences shall be allowed in any front yard, except where specifically authorized herein.
 - 2. Fences shall be limited to seven (7) feet in height within any side or rear yard.
 - 3. Fences shall be constructed of wood, brick, vinyl, ornamental iron or metal railing, chain link or stone. The exposed framing of each section of fence shall face the interior yard or property, e.g. the finished side shall face out.
 - 4. The owner of the property on which the fence is located is required to maintain the fence in a safe condition and plumb (vertical) to the ground. For fences erected close to a property line, fence owners are advised to consider future access to the exterior side of the fence for maintenance.
 - 5. Retaining walls over five (5) feet in height shall be designed and constructed under the responsible charge of a NC registered professional engineer.
 - 6. Fences built in conjunction with electric or gas substations, public works facilities, public recreation facilities or other similar uses shall not exceed ten (10) feet in height without specific approval of the Zoning Administrator. Fences of this type may be located within front yards with approval of the Zoning Administrator.
 - 7. No fence shall be constructed within or upon any street right-of-way. In addition, no fence shall be constructed within ten (10) feet of any street pavement.
 - 8. No fence or wall shall alter or impede the natural flow of water in any stream, creek, drainage swale, ditch or similar drainage feature.
 - 9. Fences made of mesh-type material, which may be easily trimmed/cut with scissors and used as a means to protect vegetation from animals may be located within front yards, provided it does not exceed six (6) feet in height or encompass more than 225 square feet (cumulatively) of the front yard.
 - 10. In residential zoning districts, fences shall not be constructed of material which may be dangerous or hazardous to the public, such as barbed or razor wire or other similar materials except in association with those uses permitted as a special use.

11. Fences constructed on or over utility easements are subject to be removed at the owner's expense subject to the terms of the easement.
12. Nothing in this section shall prevent the installation of temporary fences related to construction sites or sediment and erosion control. Temporary fences shall be removed within ten (10) days of the issuance of a certificate of zoning compliance for the project. Temporary fences must be removed within (90) days of their installation. A temporary permit may be extended for thirty (30) days.
13. It is the responsibility of the fence owner to insure that the fence is installed on their property.
14. Non-opaque fences may be located in the front yard of a lot zoned Business (BD), provided that the lot has a minimum of 100 feet of uninterrupted road frontage with a road maintained by the North Carolina Department of Transportation.
15. A zoning permit is required for the installation of any fence, except for the mesh-type fences described in Item 9, above.

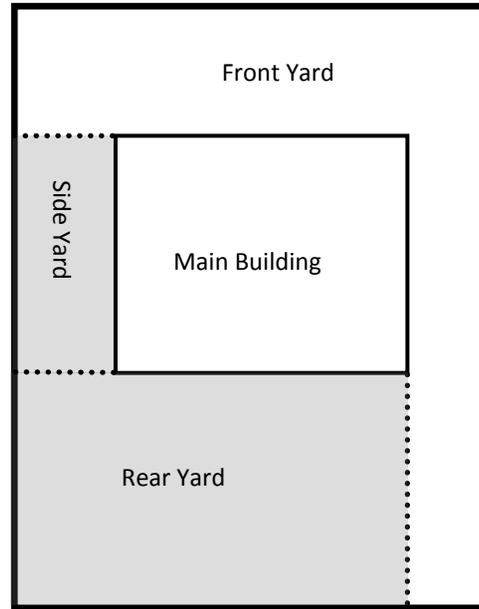
Amended 11/18/2021

STREET RIGHT-OF-WAY

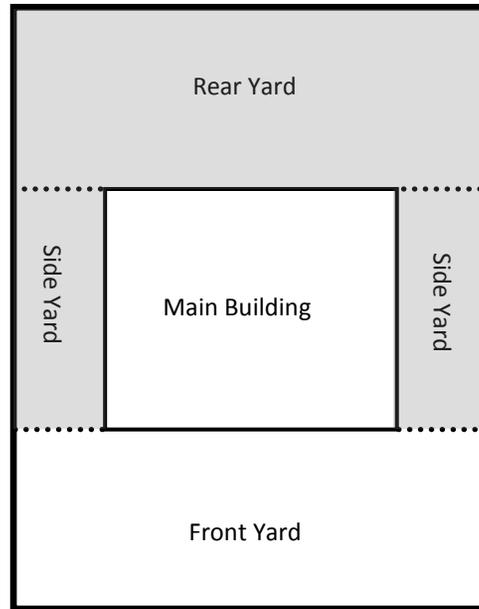
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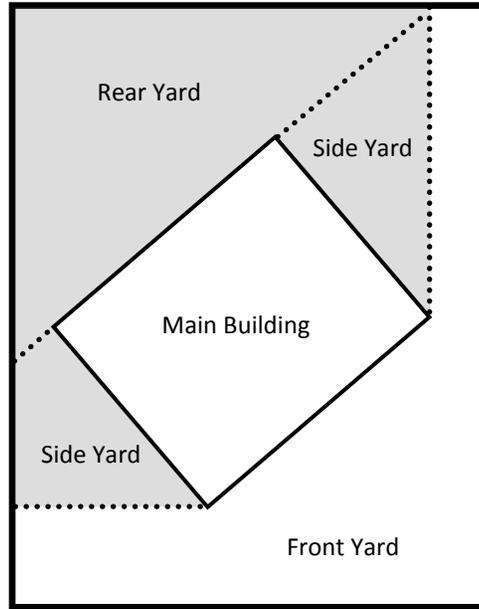
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STREET RIGHT-OF-WAY

STREET RIGHT-OF-WAY